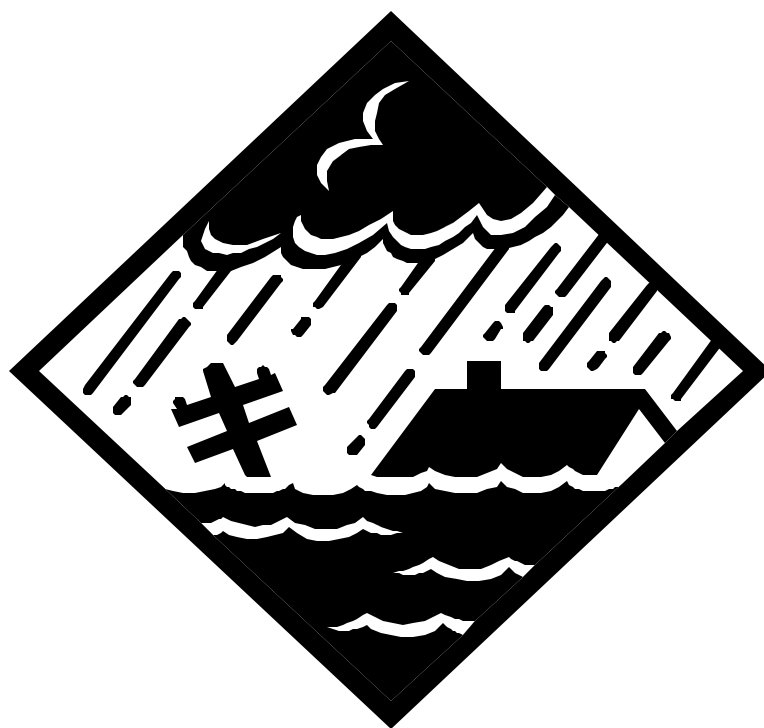




**Federal Emergency Management Agency
And
Louisiana Office of Emergency Preparedness**

PUBLIC ASSISTANCE



**ENVIRONMENTAL CONSIDERATIONS
AND CONTACTS**

**FEMA-1435-DR-LA
FEMA-1437-DR-LA**



Federal Emergency Management Agency

**Disaster Field Office
7401 Florida Boulevard
Baton Rouge, LA 70806**



October 10, 2002

The Federal Emergency Management Agency (FEMA) and the Louisiana Office of Emergency Preparedness (LOEP) are here to assist communities in responding to and recovering from the damages as a result of Tropical Storm Isidore beginning September 21, 2002 and Hurricane Lili beginning October 3, 2002. This information package is designed to address the necessary Federal and State regulations and guidelines to facilitate your application process. This is not intended to be inclusive of all possible applicable laws, but those routinely encountered in disaster recovery.

In addition to assisting applicants in gathering current information for informed decision making, we are responsible for ensuring that numerous State and Federal environmental and historic preservation laws and Executive Orders are met. It is necessary for any applicant receiving FEMA and State assistance to obtain and comply with all applicable local, State, and Federal laws, requirements and permits. Please be aware that failure to comply may jeopardize Federal funding.

We are available for technical assistance. If you have any questions or need assistance, please contact the Baton Rouge Disaster Field Office for the FEMA Environmental Liaison Officer at (225) 218-2909.

Kyle M. Mills, P.E.
Environmental Liaison Officer
FEMA Region VI

Jeffrey Giering
Environmental Officer
LOEP

ENVIRONMENTAL CONSIDERATION AND CONTACTS

FEMA-1435/1437-DR-LA

The Federal Emergency Management Agency (FEMA) is here to assist communities in responding to and recovering from disasters. A part of FEMA's responsibility is ensuring that numerous environmental and historic preservation laws and Executive Orders are met. It is necessary for any applicant receiving FEMA assistance to obtain and comply with all applicable local, State and Federal laws, requirements and permits. Please be aware that failure to comply may jeopardize Federal funding. If you have any questions or need assistance, please contact the Disaster Field Office and ask for the:

- David Wittum, FEMA Deputy Environmental Liaison Officer, at (225) 932-5614.
- Jeffrey Giering, Louisiana Office of Emergency Preparedness (LOEP) Environmental Officer, at (225) 925-7559, Fax (225) 925-7501.

DEBRIS STAGING, STOCKPILING, BURNING, AND DISPOSAL

General Information

Applicants must exercise care in locating areas to stockpile/stage, burn and dispose of storm generated debris including: locating the site more than 1/4 mile from a public or private water supply, away from residences, airports and floodplains. Debris cannot be staged, stored, burned or disposed of in wetlands.

Sites created for debris staging, stockpiling and burning must have erosion control measures established at the sites. Upon completion of debris operations, the sites must be restored to pre-use conditions. Should laboratory testing be required, a listing of analytical laboratories accredited by the Louisiana Department of Environmental Quality (LDEQ) may be found at:
www.deq.state.la.us/laboratory/apps.asp

Debris can be temporarily staged, stockpiled or burned in a floodplain in emergency situations when no other alternative is available. However, when the initial emergency is over, the debris or resulting ash must be removed from the floodplain. In order to stage, stockpile, or burn debris in a floodplain, a floodplain permit must be obtained from the local or the state floodplain administrator.

Applicants who will be requesting Federal financial assistance must complete an "Emergency Debris Management Site Certification Form, FEMA 1435/1437-DR-LA", per instructions (see attached form). The complete form must be submitted for each debris staging, stockpiling, burning, or disposal site. If site preparation for debris activities requires any ground-disturbing activities, including creation of access roads, applicants must also complete the portion of the site certification form identified as "Requirements for Debris Activities Involving Ground Disturbance" (see attached form). These forms must be retained by the applicant as part of their permanent project record.

Burning

Applicants must obtain all permits as required by the Clean Air Act as would be done for any non-disaster activity. Applicants who will be requesting disaster assistance need to comply with the LOEP/Louisiana Department of Environmental Quality (LDEQ) State Burn Permit process as

described in attachments of this document. Debris burning must meet all local, parish and State burn requirements and permits. Applicants must notify their parish Emergency Manager and local fire department prior to burning.

For further information contact:

- Your local fire department.
- Your Parish Emergency Manager.
- Steve Aguiard, LDEQ, at (225) 765-0574, Fax (225)-765-0635.
- Art Jones, LOEP, at (225) 925-7555, Fax (225) 925-7501.
- LDEQ 24-hour non-emergency hotline, at (225)324-1234.

Debris Disposal

Applicants are encouraged to reduce debris volume by chipping, grinding, recycling, and/or burning. All materials must be disposed of in an approved landfill or permitted site.

Applicants should ensure that hazardous and liquid wastes as defined in LAC Title 33 Part VII, Solid Waste, such as lead acid batteries, used oil filters, used motor oil, scrap tires, any item containing CFC's, radioactive waste or regulated infectious wastes are excluded from non-hazardous debris and disposed of properly.

For information concerning the disposal of animal carcasses, applicants should contact:

- M.A. Littlefield-Chabaud, DVM, MS, Assistant State Veterinarian, Livestock Sanitary Board, at (225) 935-2168, Fax 925-4104, email malc@ldaf.state.la.us.

For further information contact:

- Steve Aguiard, LDEQ, at (225) 765-0526, Fax (225)-765-2725).

BUILDING REPAIR AND EMERGENCY DEMOLITION

Asbestos

Asbestos in Building Materials: Demolition and renovation of any industrial, commercial or public structure, regardless of asbestos content, must be coordinated with the LDEQ to obtain an Asbestos Notification of Demolition and Renovation Form (AAC-2) in compliance with Louisiana emissions standards for asbestos pursuant to Title 33, Subchapter 51, Subchapter M of the Louisiana Administrative Code. The applicant is responsible for obtaining and complying with all required permits. Asbestos Disposal Verification Forms (ADVF) can be obtained at: <http://www.deq.state.la.us/permits/asbestos/index.htm>

For further information, contact the DEQ regional office responsible for your area:

- David Daigle, LDEQ, Southwest Regional Office, at (337) 475-8697, Fax (337) 475-8643.
- Mickey Drury, LDEQ, Southeast Regional Office, at (504) 736-7701, Fax (504) 736-7702.

Or you can contact:

- the LDEQ hotline, after hours, at (225) 342-1234.

- Jodi Miller, LDEQ, at (225) 765-0126, Fax (225) 765-2559.
- Ed Sanchez, LDEQ, at (225) 765-2526, Fax (225) 765-2559.

Historic Preservation

There are numerous historic structures in the disaster area. They may be buildings or bridges. Many of these structures are not on the National Register of Historic Places (NRHP), but may be eligible for the NRHP, which is the trigger for concern under Section 106 of the National Historic Preservation Act (NHPA). Any structure receiving Federal assistance that is 50 years or older, or that otherwise has “exceptional importance” and/or cultural significance, must be reviewed under Section 106 before conducting any demolition, construction or repair activity.

The Louisiana Department of Culture, Recreation and Tourism’s Office of Cultural Development is the responsible agency and houses the State Historic Preservation Officer (SHPO). FEMA performs the initial coordination with the SHPO, however, the applicant may be requested to provide necessary information to complete compliance under NHPA.

To expedite review by the SHPO:

For architectural work that involves historic and potentially historic structures, (e.g., buildings, bridges or other structures 50 years old or older) please submit:

- A project scope of work describing the property/structure(s), age, exact location/address, and, if known, current and past use.
- Clear 35mm photographs, hard copy or digital (no photocopies or Polaroids please).

For further information contact:

- Mike Varnado, at (225) 342-8160, Fax (225) 342-4480.

GROUND DISTURBING ACTIVITIES (ARCHEOLOGICAL RESOURCES)

Any previously undisturbed area that a proposed project receiving Federal assistance may impact, e.g., relocating a utility, road realignment, a material borrow area for construction, or preparation of debris staging, stockpiling or burning sites, must be reviewed by the State Historic Preservation Officer for archeological concerns before initiating construction. Land that has been plowed or used for agriculture is not considered previously disturbed and must be evaluated.

The Office of Cultural Development is the responsible agency and houses the State Historic Preservation Officer (SHPO).

To expedite review for all work that involves surface-level or subsurface ground disturbances, please submit the following:

- An accurate map of the project area (SHPO prefers a USGS topographic quad sheet whenever available).
- A brief description of all proposed work (include depth for subsurface impacts).

NOTE - If any buried cultural materials are encountered after the work begins, (e.g., wells, cisterns, foundations, basements, prehistoric Indian artifacts, or human burials) you must cease work immediately and coordinate the SHPO before work can resume.

For further information contact:

- Duke Rivet at (225) 342-8170, Fax (225) 342-4480

WORK IN WATERWAYS, WETLANDS AND FLOODPLAINS

Section 404 and 10 Permits

Section 404 of the Clean Water Act regulates the discharge of dredge or fill materials into waters of the United States including navigable waters and wetlands. Section 10 of the Rivers and Harbors Act applies to actions affecting waters of the United States. The U. S. Army Corps of Engineers (USACE) administers both laws. Examples of actions requiring permits include construction, demolition, and any dredging or filling in any part of surface water tributaries, including small streams, lakes, ponds, stock tanks, construction and mining pits, and wetlands. Obtaining permits is the responsibility of the applicant. Unless it is an emergency action, i.e., immediate threat to life or property, obtaining permits must be done prior to executing any construction activity.

For emergency actions that have the potential to affect waters of the United States, applicants should submit the attached Section 404 Permit Coordination Request for Emergency Projects to the USACE New Orleans District Regulatory Branch Office.

To obtain information, including securing permits for this disaster contact:

- Ronald J. Ventola, USACE, New Orleans District, at (504) 862-2255 or Fax (504) 862-2289.

Bridge Permits

Under Section 9 of the Rivers and Harbors Act, the General Bridge Act, and other statutes, the U.S. Coast Guard has jurisdiction over bridges that cross navigable waters of the U.S. Permits for construction and certain types of repair activities are administered through the Bridge Administration Program. Obtaining permits is the responsibility of the applicant. Unless it is an emergency action, i.e., immediate threat to life or property, obtaining permits must be done prior to initiating construction activity.

To obtain permit information and for other project specific questions, contact:

- Marcus Redford, P.E., U. S. Coast Guard, 8th CG District, at (504) 589-2965, Fax (504) 589-3063, E-mail: mredford@d8.uscg.mil.

Note: These activities may also need a permit from USACE.

Floodplain Management

Any new construction or repairs to damaged structures in a floodplain must comply with the community's floodplain management regulations as required by the National Flood Insurance Program. No construction activities, repair or new construction can begin without approval of the local floodplain administrator.

Contact your local parish or city floodplain administrator for specific information regarding floodplain management. In order to locate the name and telephone number of your local floodplain administrator on the internet go to: www.louisianafloods.org.

For further information contact:

- Cindy O'Neal, Louisiana State Department of Transportation, at (225) 274-4354, Fax (225) 274-4351.

Louisiana Natural And Scenic Rivers

The Louisiana Department of Wildlife and Fisheries (LDWF) administers a permitting program for activities in or near state designated Natural and Scenic Rivers, under the requirements of LAC Title 76 Part IX. Natural and Scenic Rivers are located in 15 parishes that have been declared under FEMA-1435/1437-DR-LA (see attached list).

The following types of actions are prohibited in designated natural and scenic rivers: channelization, channel realignment, clearing and snagging, impoundments, and commercial clearcutting within 100 feet of the ordinary low-water mark. Any other activity that may detrimentally affect or significantly degrade the wilderness quality, aesthetic values, or the ecological integrity of a river must be permitted by the Louisiana Department of Wildlife and Fisheries. Activities requiring permits include, but are not limited to: bridge, pipeline and powerline crossings; bulkheads, piers, docks and ramps; wastewater discharges; land development adjacent to the river; aerial application of pesticides and fertilizers to fields adjacent to scenic streams; and water withdrawals. Disaster related activities that may require permits include, but are not limited to, stockpiling and/or burning of debris and work on piers, boat slips, bulkheads, roads, bridges, pipelines, and utilities within 100 feet of the low water mark. Removal of recent deadfalls in designated rivers and streams usually does not require a permit. Contact LDWF prior to conducting operations to confirm that a permit is not required. Major debris removal will require a permit, but in emergency situations an emergency permit can be issued within a matter of hours.

For further information contact:

- Blue Watson, LDWF, at (225) 765-2821, Fax (225) 765-2818.

Executive Order 11988, Floodplain Management and Executive Order 11990, Protection Of Wetlands

Any action funded by FEMA that may affect a wetland or floodplain must be reviewed by FEMA for compliance with Executive Order (EO) 11990 and 11988 and must also follow the eight-step evaluation and planning process, including public notification, as identified in 44 CFR Part 9. Applicants

proposing to initiate actions in potential wetland areas should coordinate with the USACE, FEMA, and U.S. Fish and Wildlife Service. Debris cannot be stored in a wetland, even temporarily. To remove debris from a wetland or conduct any other demolition, repair or construction activity in a floodplain or wetland, as appropriate contact:

- Ronald J. Ventola, USACE, New Orleans District, at (504) 862-2255, Fax (504) 862-2289.
- Patti Holland, USFWS, at (337) 291-3121, Fax (337) 291-3139.

Actions exempt from this EO are debris removal and repairs or replacements under Section 406 of the Stafford Act, which are under \$5,000.

THREATENED AND ENDANGERED SPECIES

There are numerous listed species and/or critical habitat in the disaster area protected under the Endangered Species Act and the Louisiana Natural Heritage Program, including birds, mammals, fish, reptiles, amphibians, and plants. If clean-up or construction activities are intended on previously unaltered land, or may potentially affect the water quality or quantity of a watershed, or if you believe any State or Federal listed or proposed species may be affected (positively or negatively) by your actions, additional information can be obtained from:

- Blue Watson, LDWF for state listed species, at (225) 765-2821, Fax (225) 765-2818.
- Karen Soileau, USFWS, for Federally-listed threatened and endangered species, at (337) 291-3132, Fax (337) 291-3139.
- Eric Hawk, Section 7 Coordinator, National Marine Fisheries Service, at (727) 570-5312, Fax (727) 570-5517, E-mail: eric.hawk@noaa.gov.

ACTIVITIES IN COASTAL AREAS

The Department of Natural Resources (LDNR), Coastal Management Division, monitors, manages, and permits coastal zone actions in partnership with the Federal government under the Coastal Zone Management Act (CZMA). LDNR Coastal Management Division is responsible for implementing Louisiana Coastal Resources Program (LCRP), which has been approved by Federal government in accordance with the CZMA. The LCRP requires permits for certain activities in designated coastal zones. Permits should be obtained through the Local Beach/Dune Permitting Authority prior to any construction activity. Emergency actions must be coordinated as soon as possible. For permit information concerning any activity that may potentially affect coastal dunes and estuarine areas contact:

- Rocky Hinds, Coastal Management Division, at (225) 342-7998 or 1-800-267-4019, Fax (225) 342-9439, E-mail: rockyh@dnr.state.la.us.

DRINKING WATER

Flooding and other disasters can seriously impact the quality of drinking water from both public water systems and from private water wells. Public water systems and other water suppliers are required to issue a “boil water notice” to all customers in the event that something happens where the water quality could be compromised. Under this notice, customers are advised to boil their water before consumption or use until such time that samples confirm that the water is safe.

Those with individual water wells must also be aware of the possible contamination of the water after flooding or other disasters. If it is either confirmed or suspected that the quality of the drinking water has been compromised, the well should be disinfected and sampled to assure that the water is safe to consume.

Attached to this document are procedures for disinfecting a private well, and locations where samples can be taken for analysis. This information can also be accessed at:

- http://oph.dhh.state.la.us/engineerservice/safewater/docs/water_broch.pdf

The Louisiana Department of Health and Hospitals, Office of Public Health's Safe Drinking Water Programs is posting "boil water notices" and other information pertaining to safe drinking water at:

- <http://oph.dhh.state.la.us/engineerservice/safewater/index.html>

If there are any questions regarding this issue or the procedures outlined, refer to the attached Office of Public Health Regional Contacts Map for your regional contact or contact:

- Doug Vincent, Engineering Services, Louisiana Department of Health and Hospitals, Office of Public Health, at (225) 765-5038, Fax (225) 765-5060.
- Karen S. Irion, Safe Drinking Water Program Administrator, Louisiana Department of Health and Hospitals, Office of Public Health, at (225) 765-5038, Fax (225) 765-5040.

INDIAN AFFAIRS

Activities in the Parishes of Avoyelles and St. Mary have potential to impact the Tunica-Biloxi Tribe and Chitimacha Tribe, respectively. The Bureau of Indian Affairs serves as a facilitator for coordination of disaster recovery activities to Tribal Governments. Contact:

- Scott Meneely, Bureau of Indian Affairs, Eastern Region, at (615)-467-1671, Fax 615-467-2939.
- Johny Parham Bureau of Indian Affairs, Eastern Region, at (615)-467-1702, Fax 615-467-2939.

LOUISIANA OFFICE OF EMERGENCY PREPAREDNESS

The State of Louisiana administers the Public Assistance and Hazard Mitigation programs following a disaster. Points of contact are listed below:

Public Assistance, LOEP

During the response and recovery phases of this disaster, personnel can be reached at the Baton Rouge Disaster Field Office (DFO) please contact:

- Art Jones, LOEP, State Public Assistance Officer, at (225) 925-7500.

After closure of the Baton Rouge DFO, State LOEP personnel can be contacted at:

- Bill Douglas, LOEP, State Public Assistance Officer, at (225) 925-7558.

Hazard Mitigation, LOEP

During the response and recovery phases of this disaster, personnel can be reached at the Baton Rouge DFO at:

- Dan Falanga, LOEP, Hazard Mitigation, at (225) 925-7557.

After closure of the Baton Rouge DFO, LOEP mitigation personnel can be contacted at:

- Dan Falanga, LOEP, Hazard Mitigation, at (225) 925-7557

REMINDER

Any applicant for FEMA assistance must obtain and comply with all local, State and Federal environmental and historic preservation laws, requirements, and permits. Please be aware that failure to comply may jeopardize Federal funding, so let us know if we can provide you with any assistance.

For FEMA general environmental information also see Internet address:

www.fema.gov/regions/vi/env/env_index.shtm

ADDITIONAL RESOURCE INFORMATION:

Federal Resources

Advisory Council on Historic Preservation	www.achp.gov
United States Department of Agriculture	
Forest Service:	www.fs.fed.us
Natural Resource Conservation Service:	www.nrcs.usda.gov
United States Army Corps of Engineers	
Forth Worth District:	www.swf.usace.army.mil
United States Department of the Interior	
National Park Service:	www.nps.gov
Fish and Wildlife Service:	www.fws.gov
Bureau of Land Management:	www.blm.gov/nhp/index.htm
Bureau of Reclamation:	www.usbr.gov/main/index.html
Environmental Protection:	www.epa.gov
EPA-Surf Your Watershed:	www.epa.gov/surf
U.S. Federal Government Agencies Directory:	www.lib.lsu.edu/gov/fedgovall.htm

State Resources

Louisiana Office of Emergency Preparedness	www.lope.state.la.us/
State Homepage	www.state.la.us/
Louisiana Department of Wildlife and Fisheries	www.wlf.state.la.us/
Department of Agriculture and Forestry	www.daf.state.la.us/
Office of the Attorney General	www.ag.state.la.us/
Department of Health and Hospitals	www.dhh.state.la.us/
State Historic Preservation Officer	www.crt.state.la.us/crt/ocd/hp/ocdhp.htm
Department of Social Services	www.dss.state.la.us/
Department of Natural Resources	www.dnr.state.la.us/
Department of Environmental Quality	www.deq.state.la.us/
LSU AgCenter	www.louisianafloods.org/
Louisiana Dept. of Transportation & Development	www.dotd.state.la.us/
Louisiana Dept. of Insurance	www.ldi.state.la.us/

For Notification Of Hazardous Material Or Oil Spills

National Response Center	1-800-424-8802
Louisiana State Police (emergency)	1-877-925-6595
LDEQ	1-225-342-1234
Louisiana Wildlife & Fisheries –	
Response, Enforcement & Emergency Permits	1-800-442-2511

ENVIRONMENTAL CONSIDERATIONS GENERAL GUIDANCE TO APPLICANTS FOR PUBLIC ASSISTANCE

Numerous Federal environmental and historic preservation laws require compliance in order for applicants to receive ANY Federal funds for projects. The following are the laws that usually affect FEMA funded projects:

- National Environmental Policy Act (NEPA).
- Endangered Species Act.
- National Historic Preservation Act.
- Coastal Zone Management Act.
- Solid Waste Disposal Act.
- EO 11990 Wetlands Protection.
- EO 11988 Floodplain Management.
- EO 12898 Environmental Justice.
- Clean Water Act (Section 404).
- Clean Air Act.

Applicants are essentially allowed to complete the following work in accordance with specific policy guidance from FEMA:

- Emergency Actions (e.g. search and rescue, emergency care, issues of life safety).
- Debris Removal (not necessarily disposal or storage/staging).
- Repairs/restoration to pre-disaster condition (with no significant change in footprint to include the construction area), unless the structure is older than 50 years.
- Temporary repairs, unless the structure is older than 50 years.

Before the following actions can be taken, NEPA and other environmental and historic preservation considerations must be addressed:

- Debris disposal (other than to a permitted landfill).
- Any project where the footprint is different than pre-disaster condition.
- Projects with Section 406 mitigation.
- Any project affecting a historic, or potentially historic, site or structure.
- Any project affecting a threatened, endangered or proposed species.
- Any project affecting a wetland.
- Any project affecting a floodplain.
- Any project with known or suspected environmental concerns.

The following actions, whether approved by State or FEMA, must have an environmental review by FEMA prior to initiating construction:

- Improved projects.
- Alternate projects.
- Other projects in which the approved scope of work has been changed.